

CONDITIONAL USE RESOLUTION NO. CON-2002-00025

WHEREAS, Girl Scouts of the Golden Plains Council, Inc. (Applicant/Owner), Austin Miller, Inc. c/o Kim Edgington (Agent) pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a Conditional Use for community assembly on 160 acres zoned "RR" Rural Residential described as:

The Southwest Quarter of Section 5, Township 29 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas. Generally located east of 103rd Street West (Maize Rd) ½ mile south of 71st Street South.

WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

WHEREAS, the MAPC did, at the meeting of June 6, 2002, consider said application; and

WHEREAS, the MAPC has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Area Planning Commission that this application be approved to permit a Conditional Use to allow community assembly, on 160 acres zoned "RR" Rural Residential described as:

The Southwest Quarter of Section 5, Township 29 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas. Generally located east of 103rd Street West (Maize Rd) ½ mile south of 71st Street South.

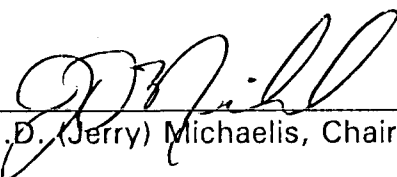
subject to a revised site plan that incorporates the following conditions:

1. Use of the property shall be limited to those uses permitted by community assembly and typically associated with a Girl Scout campground, including camping areas (including tent and cabin-type camping areas with shelter buildings), meeting facilities, communal dining facilities, craft activities, water-related activities (small craft boating, swimming and fishing), campfire, archery range, horseback riding, nature study, and other similar and compatible recreation activities and the accessory structures to support these uses. The following uses shall be excluded: group residence, convalescent care facility, correctional facilities, correctional placement residences, group homes, recreation and entertainment, outdoor, and recreational vehicle campground.
2. The site plan shall be revised to show dedication of major intersection right-of-way at 103rd Street West and 79th Street South and a contingent dedication of 50 feet of right-of-way on both streets, in conformance to the approved condition of Starwoods Addition.

3. The site plan shall be revised to provide a temporary turnaround along 79th Street South, in conformance to the approved condition of Starwoods Addition.
4. The site plan shall be revised to denote the creation of the floodway reserves and minimum pad elevation for structures and campsites based on the FEMA Letter of Map Amendment.
5. The applicant shall obtain all applicable and required permits for water and sewer service from the County and/or the State of Kansas for all improvements.
6. The applicant also shall be responsible for obtaining any special permits from the County and/or State of Kansas for any special events held onsite and for meeting any additional temporary requirements for water, sewer, or emergency services in conjunction with these events.
7. The Conditional Use shall be developed in general conformance with a site plan revised to meet these conditions. Any substantial change in the revised site plan shall require an amendment to this Conditional Use.
8. Development of the Conditional Use shall be commenced within one year from approval or the Conditional Use shall be null and void.
9. Any substantial violation of these conditions shall be reviewed and if determined not to be in compliance with these conditions, shall render this Conditional Use null and void.


Adopted this 6th DAY of JUNE, 2002. This resolution shall become effective on the fifteenth day after the date last noted above unless the matter is forwarded to the Governing Body for final action under the provisions of Section V-D.6. When any one or more of the exceptions listed in Section V-D.6 exist, this resolution with its conditions of approval shall be considered a recommendation of the MAPC to the Governing Body which shall then have final authority to approve, approve with conditions or modifications, or deny the Conditional Use application.

METROPOLITAN AREA PLANNING COMMISSION



J.D. (Jerry) Michaelis, Chair MAPC

ATTEST:



Marvin S. Krout, Secretary

STAFF REPORT

MAPC June 6, 2002

Clearwater Planning Commission June 4, 2002

CASE NUMBER: CON2002-00025

APPLICANT/AGENT: Girl Scouts of the Golden Plains Council, Inc. (owner); Austin Miller, Inc. c/o Kim Edgington (agent)

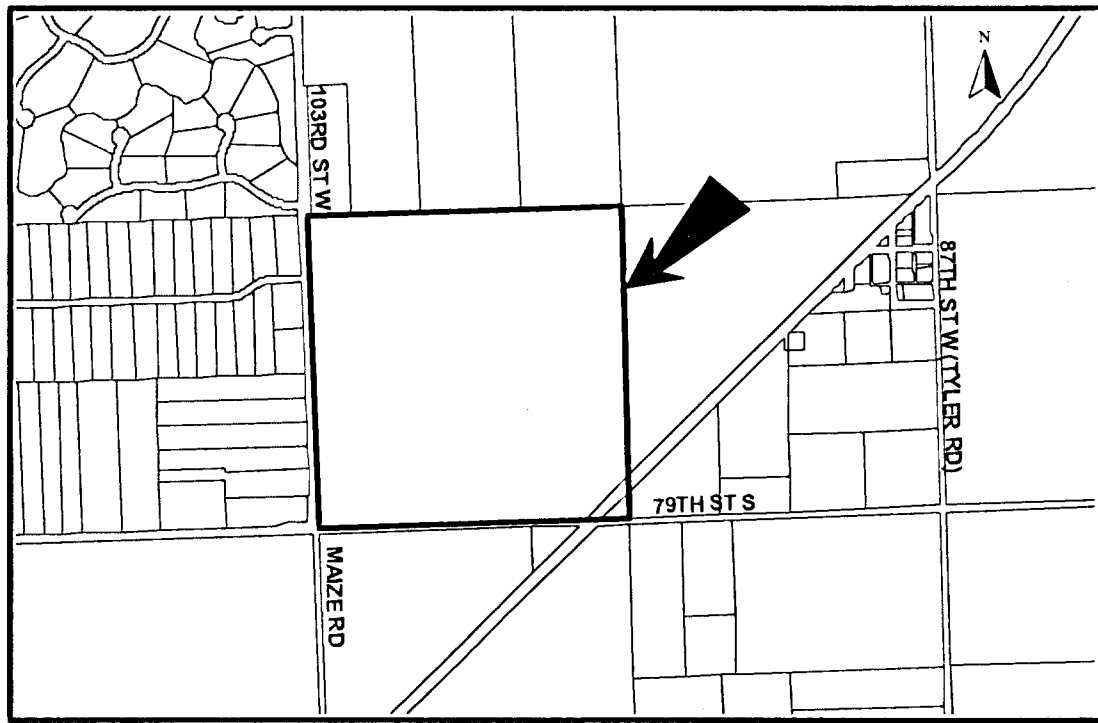
REQUEST: Conditional Use for community assembly

CURRENT ZONING: "RR" Rural Residential

SITE SIZE: 160 acres

LOCATION: East of 103rd Street West (Maize Rd) ½ mile south of 71st Street South

PROPOSED USE: Girl Scout campground



BACKGROUND: The applicant is requesting a “Conditional Use” for community assembly on a 160-acre tract to develop a Girl Scout campground. The site is located on the east side of 103rd Street West (Maize Road) one-half mile south of 71st Street South, extending south to 79th Street South. It was the previous site of a Star Lumber employee recreation facility, and was given to the Girl Scouts of the Golden Plains Council by Star Lumber.

The Girl Scouts began camping operations there last summer as a day camp facility under nonconforming use rights flowing from the previous Star Lumber recreation facility. Already the main lodge has been enlarged. Code Enforcement has indicated that the expansions already done have reached the nonconforming expansion rights limits. A “Conditional Use” for community assembly is required to allow the additional facilities improvements planned by the Girl Scouts for the site. They plan to operate the facility primarily as a day camp facility with a maximum of 150 girls plus adults/staff attending per day camp session during the months of May through August.

The site is traversed by Spring Creek, a tributary to the Ninescah River, and has a mapped floodway (FEMA) generally located in a diagonal path from the northwest corner to the southeast corner of the quarter-section. The existing lake, named Wattles Lake on the USGS topographic map, is being expanded. This will affect the location and extent of the floodway boundaries. The improvements planned near the lake are those typical of camps near a water feature such as a beach, fishing dock, a boathouse and dock with a canoe rack. Nature trails and an ecology worksite are located downstream from the dam. These activities generally would be compatible with flood prone land.

The main lodge, located near the primary entrance to the site, has meeting and limited dining facilities. Campground sites with shelter buildings are spread around the property. The future craft barn, nature/science unit site, and sports pavilion site are located on higher ground that is to the west of the lake. The horse barn is located on the west side also. The archery range is remotely sited on the extreme northeast corner of the property. One fire ring is situated on an island in the lake, and the other designated fire ring is in the ultra-primitive campground site on the southern edge of the property.

The site plan shows a network of roads that are 14 feet wide and includes an emergency vehicle bridge on the northern part of the lake to provide emergency access to both sides of the lake. Smaller paths ten feet in width complete the path and road system. Entrances are primarily on 103rd Street West (Maize Road). The property has a railroad right-of-way and bridge on the extreme southeast corner.

The property is bordered by agricultural uses on the north and east. Approximately 60 suburban lots take access from 103rd Street West on the west. Frontierland, a private recreation facility for Vulcan employees is located to the south.

CASE HISTORY: The property is in process of being platted as Starwoods Addition. This plat was approved by MAPC on May 24, 2001, but has not been forwarded to the Sedgwick County Commission for acceptance.

ADJACENT ZONING AND LAND USE:

NORTH:	"RR" Rural Residential	Agriculture
SOUTH:	"RR" Rural Residential	Private recreation
EAST:	"RR" Rural Residential	Agriculture
WEST:	"RR" Rural Residential	Suburban lots

PUBLIC SERVICES: Normal municipal water and sewer services are unavailable. The main lodge building is on an alternative sewage treatment facility (unapproved at this point but sized to accommodate 4,000 gallons of domestic effluent per day) and provides the wastewater treatment for sewage from cooking in the lodge and restrooms near the lodge. Since this facility would not be expected to provide sewer service to other areas of the site, additional sewer facilities will be needed.

Stand pipes connected to the lake provide water for fire protection. Access for emergency vehicles is available from the road network, which connects both sides of the lake.

103rd Street West (Maize Road) is a gravel township road. No traffic counts are available. 79th Street South is located on the southern boundary, but is closed to traffic for the one-half mile running eastward from 103rd Street South. 71st Street South is located two-thirds mile to the north of the main entrance to Starwoods. This is a paved county-maintained road. Traffic counts on 71st Street South at 103rd Street West were between 1,550 and 1,750 in 2000.

Starwoods Addition limits access to four entrances on both roads. The site plan has the main entrance to the lodge, another point with a circulation gate approximately 200 feet to the north, a bus entrance approximately 250 feet to the south and a fourth entrance 550 feet farther south. Three entrances are shown on 79th.

CONFORMANCE TO PLANS/POLICIES: The "Wichita Land Use Guide" of the 1999 *Update to the Wichita-Sedgwick County Comprehensive Plan* identifies the subject tract as "rural". The *Comprehensive Plan* lacks specific goals/strategies/objectives related to non-profit recreational facilities located in remote locations. The goal most related to the proposed project is **Goal IX-Education and Culture** that seeks to enhance the opportunities for greater cultural and educational experiences. However, none of the strategies for this goal would apply to this project. **Goal VIII-Parks, Open Space and Recreation/Objective A** generally recommends providing a diverse set of recreational opportunities, but the strategies are limited to public land uses. Perhaps **Goal X-Environmental Quality/Objective B** is appropriate to consider. It recommends effective floodplain management to enhance water quality and provide flood protection (**X.B.3**) and retain existing stands of trees and other native vegetation, as well as water and topographic features, through environmental review as part of the subdivision process (**X.B.4**).

Public/Institutional Locational Guideline #2 recommends convenient access to arterial streets. This site is two-thirds mile away from a county arterial. Approval of the site would be expected to place pressure on the county to take the township road for maintenance and paving.

RECOMMENDATION:

Based on the information available prior to the public hearing, Staff recommends that the request be APPROVED subject a revised site plan that incorporates the following conditions:

1. Use of the property shall be limited to those uses permitted by community assembly and typically associated with a Girl Scout campground, including camping areas (including tent and cabin-type camping areas with shelter buildings), meeting facilities, communal dining facilities, craft activities, water-related activities (small craft boating, swimming and fishing), campfire, archery range, horseback riding, nature study, and other similar and compatible recreation activities and the accessory structures to support these uses. The following uses shall be excluded: group residence, convalescent care facility, correctional facilities, correctional placement residences, group homes, recreation and entertainment, outdoor, and recreational vehicle campground.
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5. The applicant shall obtain all applicable and required permits for water and sewer service from the County and/or the State of Kansas for all improvements.
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7. The Conditional Use shall be developed in general conformance with a site plan revised to meet these conditions. Any substantial change in the revised site plan shall require an amendment to this Conditional Use.
8. Development of the Conditional Use shall be commenced within one year from approval or the Conditional Use shall be null and void.
9. Any substantial violation of these conditions shall be reviewed and if determined not to be in compliance with these conditions, shall render this Conditional Use null and

void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding area is zoned "RR" Rural Residential. The area to the north and east is rural in character and used for crop farming to the north, and smaller farms and ranches to the east. The property to the south is occupied by a private employee recreation facility for Vulcan employees. This is similar to the use of the site as a Girl Scout camp facility. The area to the west of 103rd Street West is developing with suburban lots mostly two acres in size.
2. The suitability of the subject property for the uses to which it has been restricted: The site previously was the Star Lumber employee recreation facility and was used for company picnics and retreats, and has nonconforming use rights. This is the basis by which the Girl Scout camp was operated last year. Expansions authorized to date have been granted as an expansion of the nonconforming use rights. However, the proposed expansions exceed the nonconforming rights and could not be allowed without Conditional Use approval.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed site plan development will allow an increased level of usage of the camp facility. This can be expected to generate more traffic and noise for the surrounding properties. However, the camp usage will not be continuous (expected to peak in the summer months). Traffic would be sporadic, corresponding to the beginning and ending of camping/retreat activities on a daily basis during camp season.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and Policies: The *Comprehensive Plan* designates the parcel as "rural". The *Comprehensive Plan* does not indicate appropriate locations for camp facilities of this type, except being along an arterial road. Historically, these types of facilities have sought locations that are remote from residential populations, endowed with natural amenities such as lakes and forests, but with road accessibility to allow patrons to arrive and depart. The proposed site offers several of these attributes, particularly because of the presence of Wattle Lake along Spring Creek and location of a paved road approximately two-thirds mile to the north (71st Street South).
5. Impact of the proposed development on community facilities: The proposed "Conditional Use" for community assembly will increase traffic on 103rd Street West, with peak traffic volumes at the beginning and end of camp and retreat activities, particularly during the summer day camp season. A lower level of traffic and delivery vehicles would be anticipated whenever the campground is in use. It would be anticipated that this increase would generate pressure for the County to accept the 103rd Street West road for maintenance and to improve it to County paved standards.